

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA**

E.DIGITAL CORPORATION,  
Plaintiff,  
vs.  
FUSION-IO, INC.,  
Defendant.

CASE NO. 13-cv-2901-H-BGS  
**ORDER CONTINUING ALL  
DEADLINES IN LIEU OF A  
STAY**

[Doc. No. 30]

On May 8, 2014, Plaintiff e.Digital Corporation filed its First Amended Complaint (“FAC”) against Defendant Fusion-IO, Inc. (Doc. No. 28.) On May 22, 2014, Defendant filed its answer. (Doc. No. 29.) On May 28, 2014, the parties filed a notice of settlement and joint motion to stay all deadlines pending settlement. (Doc. No. 30.) The parties request a stay until June 30, 2014 to execute a settlement agreement and file a notice of voluntary dismissal. (See id. at 2.)

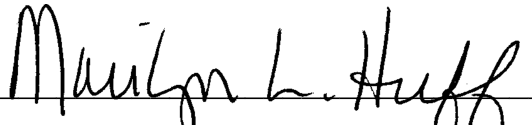
“The District Court has broad discretion to stay proceedings as an incident to its power to control its own docket.” Clinton v. Jones, 520 U.S. 681, 706 (1997). Furthermore, “the suppliant for a stay must make out a clear case of hardship or inequity in being required to go forward. . . .” Landis v. North Am. Co., 299 U.S. 248, 255 (1936); see also Lockyer v. Mirant Corp., 398 F.3d 1098, 1112 (9th Cir. 2005) (quoting Landis and holding that “being required to defend a suit, without more, does

1 not constitute a 'clear case of hardship or inequity' within the meaning of Landis").

2 In lieu of a formal stay, the Court orders a limited continuance of deadlines in  
3 this action for the parties to effect settlement. A one-month extension of the case  
4 deadlines ensures that the proceedings will be delayed no longer than necessary.  
5 Exercising its discretion, the Court denies the parties' motion to stay the proceedings  
6 and continues all deadlines until **June 30, 2014**.

7 **IT IS SO ORDERED.**

8 DATED: May 30, 2014

9   
10 MARILYN L. HUFF, District Judge  
11 UNITED STATES DISTRICT COURT  
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